



US Army Corps  
of Engineers  
Alaska District

# Public Notice of Application for Permit

Regulatory Branch (1145b)  
Post Office Box 6898  
Elmendorf AFB, Alaska 99506-6898

PUBLIC NOTICE DATE: September 9, 2004  
EXPIRATION DATE: September 24, 2004  
REFERENCE NUMBER: POA-1996-0211-T  
WATERWAY NUMBER: Goodpaster River

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: The applicant is Teck-Pogo Incorporated, 3520 International Street, Fairbanks, Alaska 99701.

LOCATION: The project will be conducted in sections 11, 12, 14, in T 6 S., R 13 E., Fairbanks Meridian.

WORK: The applicant proposes to construct an access road to a communication site at the Pogo Mine. The total disturbed area for the project is 7.7 acres of which 1.6 acres is delineated as wetlands. A total of 3,375 cubic yards of fill will be placed in wetlands for the road. The road surface will be 15 feet wide.

PURPOSE: The project purpose is to place a two-way radio repeater on Hill 4120 for the Pogo Mine. This communication site currently hosts the two-way radio repeater for the site. During mine operations the communication site will also host voice and data communication equipment. The road is required to support scheduled and emergency maintenance of the communication equipment.

ADDITIONAL INFORMATION: The regional manager for Teck-Pogo Inc is Mr. Karl Hanneman, for additional information he can be reached at 907-455-8325. The site for the communication site is on State of Alaska land. A separate authorization will be required by Alaska Department of Natural Resources.

MITIGATION: As a result of the previously completed review and public process, the applicant has agreed to reclaim the road and remove the communication equipment at the completion of the mine project.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application.

Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRs) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. A Programmatic Agreement (PA) was developed for this project. The programmatic agreement was signed by EPA on June 10, 2003, by ADNR on June 18, 2003, by the Alaska SHPO on June 27, 2003, by ADNR on June 18, 2003, by the DA on July 8, 2003, and executed by the signature of the Advisory Council on Historic Preservation on August 12, 2003. The applicant will have the road route surveyed and abide by the PA.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area. Preliminarily, the described activity will not affect threatened or endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. *et seq* and associated federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service (NMFS). We have determined that the described activity within the proposed area will not adversely affect EFH, including anadromous fish and federally managed fishery resources.

SPECIAL AREA DESIGNATION: The site is located on State of Alaska land.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify,

condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Mr. Victor Ross at (907) 753-2716, toll free from within Alaska at (800) 478-2712, or by email at [victor.o.ross@poa02.usace.army.mil](mailto:victor.o.ross@poa02.usace.army.mil) if further information is desired concerning this notice.

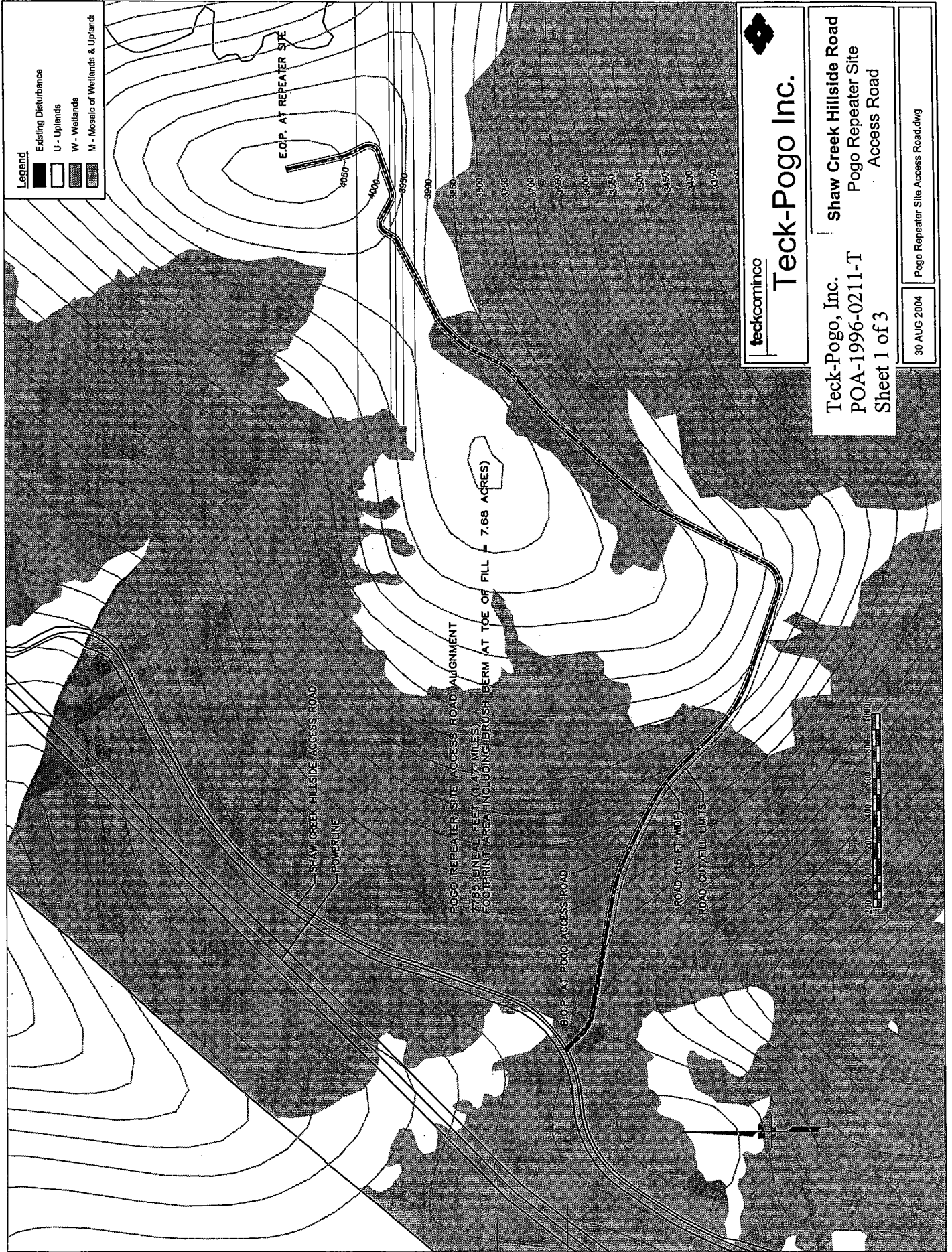
AUTHORITY: This permit will be issued or denied under the following authorities:

(X) Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

A plan and Notice of Application for State Water Quality Certification are attached to this Public Notice.

District Engineer  
U.S. Army, Corps of Engineers

Attachments



teckcominco

Teck-Pogo Inc.

Teck-Pogo, Inc.

Shaw Creek Hillside Road

POA-1996-0211-T

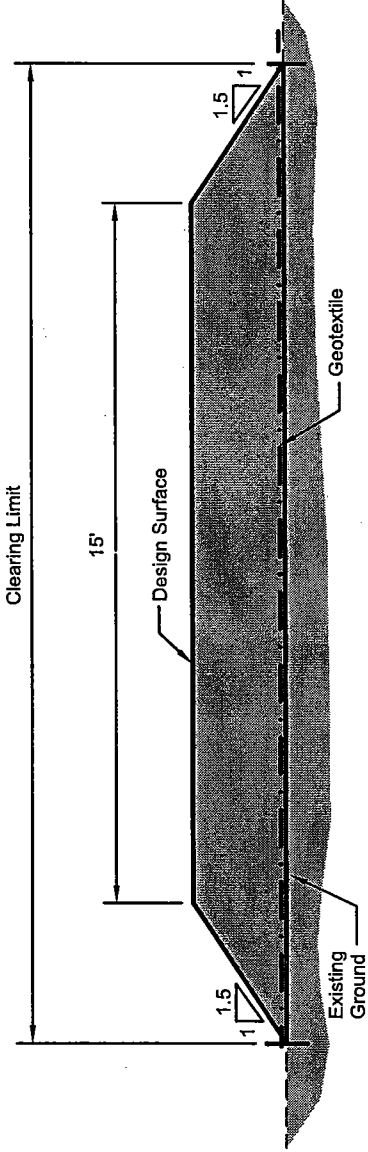
Pogo Repeater Site

Access Road

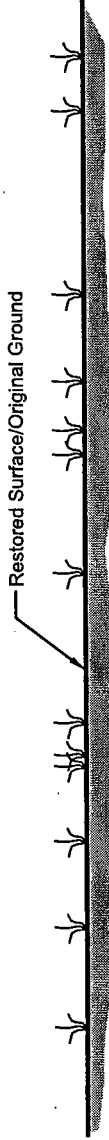
Sheet 1 of 3

30 AUG 2004

Pogo Repeater Site Access Road.dwg



TYPICAL REPEATER SITE ROAD SECTION ON FLAT GROUND (WETLANDS) - PROPOSED



TYPICAL REPEATER SITE ROAD SECTION ON FLAT GROUND (WETLANDS) - RESTORED

#### Construction Notes

1. Overburden and bedrock are native materials.
2. Subbase material is 24" of 6" minus random fill (native).
4. Geotextile is a 16-oz, non-woven material or equivalent (as required).
5. Fill slopes with general structural fill will be 1.5H:1V.

#### Reclamation Notes

1. Geotextile to be removed.

teckcominco

**Teck-Pogo Inc.**

Teck-Pogo, Inc.

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SHAW CREEK HILLSIDE ROAD  
TYPICAL REPEATER SITE  
ACCESS ROAD SECTIONS  
RESTORED WETLANDS

30 AUG 2004

Reclaim repeater site access road. dwg

**Table 35. Repeater Site Access Road Restoration**

Sec.	Description	Station	Wetland Fill (yd <sup>3</sup> )	Wetland Acres		Reclamation Comments
				Disturbed	Restored	
1	Repeater Site Access Road	N/A	3,375	1.6	0.1	Fill will be removed from overlay construction in wetlands near beginning of road. Uplands will be recontoured for drainage, scarified, and spread with growth media.
<b>Subtotal</b>				<b>1.6</b>	<b>0.1</b>	<b>0.0</b>

# STATE OF ALASKA

OFFICE OF THE GOVERNOR

## DEPT. OF ENVIRONMENTAL CONSERVATION

### DIVISION OF WATER

401 Certification Program

Non-Point Source Water Pollution Control Program

### NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. POA-1996-0211-T, Goodpaster River, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify that there is reasonable assurance that the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project with respect to Water Quality Certification may submit written comments within 30 days of the date of the Corps of Engineer's Public Notice to:

Department of Environmental Conservation  
WQM/401 Certification  
555 Cordova Street  
Anchorage, Alaska 99501-2617  
Telephone: (907) 269-7564  
FAX: (907) 269-7508